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SENATE BILL 444

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY  
Timothy M. Keller

AN ACT

RELATING TO HIGHER EDUCATION; PROHIBITING DISCRIMINATION IN  
PAID HOLIDAYS AND ACCRUAL OF ANNUAL LEAVE AT PUBLIC  
POST-SECONDARY EDUCATIONAL INSTITUTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. PUBLIC POST-SECONDARY EDUCATIONAL  
INSTITUTIONS--LEAVE POLICIES--DISCRIMINATION PROHIBITED.--

A. Each public post-secondary educational  
institution shall have a consistent, institutionwide leave  
policy that does not discriminate among full-time employees.  
All nonexempt full-time employees shall receive the same number  
of paid holidays and shall accrue annual or other leave at the  
same rate; provided that the institution may adopt a  
progressive leave accrual policy based on longevity or  
cumulative employment. An institution may prorate leave for

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1 part-time employees.

2 B. For the purposes of this section, "full-time"  
3 means forty hours per week.

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